



DATE: 2 August 2010

APPROVED BY:

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**MINUTES OF THE
LAKE COUNTY PLANNING COMMISSION
June 29, 2010**

The Lake County Planning Commission hereby finds and determines that all formal actions were taken in an open meeting of this Planning Commission and that all the deliberations of the Planning Commission and its committees, if any, which resulted in formal actions, were taken in meetings open to the public in full compliance with applicable legal requirements, including Section 121.22 of the Ohio Revised Code.

Ms. Pesec, Chair, called the meeting to order at 5:00 p.m.

ROLL CALL

The following members were present: Messrs. Adams, Brotzman, Franz (alt. for Schaedlich), Martin (alt. for Troy), Morse, Siegel, Welch (alt. for Aufuldish), Zondag, and Mmes. Hausch and Pesec. Staff present: Messrs. Boyd, Radachy, and Ms. Myers.

MINUTES

The following corrections were made to the May 24, 2010 minutes:

- Page 6, under Cambden Creek, Phase 2, and page 2, under Orchard Springs, Phase 1, the words "in lieu of a surety" are to be changed to "in lieu of a Construction Guarantee".
- Page 2, last full sentence on page, "guaranty" should be changed to "guarantee".
- Page 2, first paragraph under Director's Report, the correct way to use the word "emailed" should be determined by the office.

Mr. Brotzman moved to approve the minutes as amended and Ms. Hausch seconded the motion.

All voted "Aye".

FINANCIAL REPORT

Mr. Adams moved to approve the May, 2010 Financial Report as submitted. Mr. Morse seconded the motion.

All voted "Aye".

PUBLIC COMMENT

There was no public comment.

LEGAL REPORT

There was no attorney present.

DIRECTOR'S REPORT

The Director stated that we were still working on the Balanced Growth Initiative (BGI) program. The BGI was presented at the NE Ohio Planning and Zoning conference last week. The contract with the City of Willoughby has been completed and paid in full.

Upcoming Projects

- City of Mentor: Mr. Boyd met with the new City Mentor Manager, Mr. Ken Filipiak. They are looking to do a complete rewrite of their zoning code. They were happy with our work on their Master Plan and would like us to submit a proposal for the rewrite.
- CDBG: In the past few weeks, we have been approached by the County Commissioners to become more engaged in the County's Community Development Block Grant Program in a support role. Mr. Boyd thought their request for help showed the Commissioners had confidence in the abilities of the people in our office. He explained the program would involve a timeline of learning of plans, programs and reporting mechanisms. The funding is used for various County projects and then they fund non-profit requests. The Commissioners ultimately decide where and the amount of the allocated funding from the submitted requests of the communities. The Neighborhood Stabilization Program (NSP) is another program the County has received approximately \$3 million for various initiatives of which Mr. Martin of Western Reserve Community Development is involved.

The potential issue of time management and staff capacity for these projects has Mr. Boyd hesitant to commit to the City of Mentor. He said he has a few weeks yet to decide. He

stated that since Mr. Webster left, staff has been working to get the municipalities' contract work. Fairport, Perry, Eastlake and Mentor have worked with us on a contract basis lately. He said he would hate to stop this momentum.

The members stated they thought that the municipality work was staff's main job and should be staff's primary mission. Mr. Adams questioned the use of an intern. Mr. Boyd stated that our interns in the past have only been on a voluntary basis and they tend to leave when they are offered money for their services or jobs elsewhere. He also stated that we are working with other County entities more than we had in the past and that has taken a little of the burden from us.

Ms. Pesec said that the Mentor project, if it turns out to be a large project, could be a reason to build a part-time person into the budget to help.

ANNOUNCEMENTS

Mr. Boyd stated that Mr. Radachy, as Committee Chair, spearheaded the NE Ohio Planning and Zoning Workshop with over 180 attendees and speakers. This was the best attendance ever. He gave kudos to him for his work and stated a tally of the participant evaluations rated the workshop as 4.2 or 4.3 out of 5.0. Also, he noted we received a letter from a customer complimenting Ms. Myers' competency and professionalism in helping him with new dwelling building permit information.

SUBDIVISION REVIEW

Concord Township – Summerwood, Phases 3 & 4 Final Plat Extensions

Mr. Radachy introduced the Summerwood, Phases 3 & 4 final plat extension requests by the Trustees of the Riebe Living Trust, Thomas and Doreen Reibe, as being in Concord Township. These two final plats were approved by the Planning Commission on August 26, 2008. Phase 3 improvement plans had 13 stipulations and 11 comments and the final plat had 11 stipulations and 3 comments. Phase 4 improvement plans had 14 stipulations and 9 comments and the final plat had 6 stipulations and 7 comments. Phase 3 consisted of 7 sublots on 15.616 acres. Phase 4 had 17 sublots on 12.042 acres.

Per the new Subdivision Regulations, final plats are to be recorded within two years or their approvals are void. Neither phase has been approved by the County Engineer or the Sanitary Engineer of the Utilities Department. The reason stated for this request is the economy. They have not yet pursued receiving approvals from the County Engineer. A two-year extension has been requested. The following are the stipulations and comments received:

Proposed Additional Improvement Plan Stipulations:

1. All phases and detailed construction plans shall be subject to the Lake County Department of Utilities approval process. *L. C. Utilities*
2. Plats and Improvement plans shall conform to the current rules and regulations when formally submitted to this office for review. *L.C. Engineer*

Proposed Additional Final Plat Stipulations:

1. Plat subject to detailed review. *L.C. Engineer*

Proposed Additional Final Plat Comment:

1. Defer to the Planning Commission for placing limitations on the number of extensions granted. *Concord Twp.*

Mr. Radachy presented the two additional improvement plan stipulations and one final plat stipulation, along with one final plat comment.

The Planning Commission has been granting one-year extensions on preliminary plans. The approval time for a preliminary plan is three years and a final plat is two years. After some discussion, it was the consensus that a one-year extension should be considered.

Mr. Radachy made a point of order that the current final plats technically do not end until August, 2010.

Mr. Siegel moved to approve Summerwood Phase 3 and Phase 4 final plat extensions for one year, August 2010 through August 2011. Mr. Adams seconded the motion.

All voted "Aye".

Subdivision Activity Report

Mr. Radachy gave the subdivision activity report as follows:

- Mountainside Farms, Phase 3B was recommended to be released by the County Engineer so their part of the Maintenance Surety could be released. This is a unique case because it is a combined surety and it is a certificate of deposit (actual cash). Banks usually would not release the full amount without authorization. They need the

authorization of Utilities to release all the funds of a combined surety. Once this is taken care of, it can be released.

- Cambden Creek, Phase 2, which is owned by a bank, has completed road improvements and the County Engineer has recommended it be placed into maintenance. We are waiting to get a bond or surety so the developer can put it into maintenance.

LAND USE AND ZONING REVIEW

There were no cases presented this month.

REPORTS OF SPECIAL COMMITTEES

There were no reports.

CORRESPONDENCE

There was no correspondence.

OLD BUSINESS

There was no old business.

NEW BUSINESS

Earlier Planning Commission Meetings

Mr. Siegel asked to continue holding the meetings at 5:00 p.m. for the rest of the summer. Mr. Zondag and Ms. Pesec had prior commitments that would preclude them from attending meetings at that time.

Mr. Brotzman said, as a Planning Commissioner, he tries to be as flexible as this office needs him to be, but an earlier meeting would be difficult for him.

Ms. Pesec said a prior meeting commitment would keep her from coming here before 6:00 p.m.

North Perry Village News Article & Coastal Management

Mr. Boyd said that North Perry Village had gotten the required permits for their marina development. ODNR people were out who said it could have altered the movement of sand, but did not go so far as to say the Village was absolutely culpable. Our office has pulled past aerials of the properties involved and there were years where there was sand and years where there was not prior to the new construction. Another issue with sand in the harbor was that, in 2008, Fairport Harbor dredged 97,000 cubic yards of sand out of the Fairport basin in the harbor and deposited it 2 ½ miles to the east in the littoral system. Everything meets the merits of the permits. The Commissioners stated the County did not have a financial interest in the North Perry Village harbor.

Mr. Martin stated that a precedence may have been set by CEI when it was found guilty for an improvement they had made by property owners on the east. Mr. Boyd stated that anytime you put a marina in, you will have to dredge. It looks like the Ohio Lakefront Group is now getting involved. The amount of beach comes and goes.

ADJOURNMENT

Mr. Siegel moved to adjourn the June 29, 2010 meeting at 5:33 p.m. and Ms. Hausch seconded the motion.

All voted "Aye".